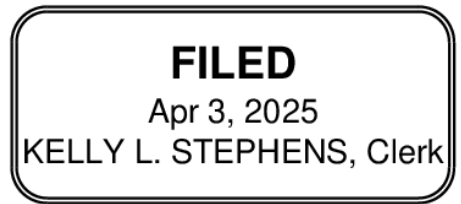


No. 24-1426

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT



SONJA M. OVERALL, Individually and Personal)
Representative of the Estate of Eric Brian Overall,)
)
Plaintiff-Appellant,)
)
v.)
)
OAKLAND COUNTY, MI; LAPEER COUNTY,)
MI; DEPUTY KENNETH A. PAUL;)
CHRISTOPHER J. BOSHELL; CHRISTOPHER)
BOWMAN; HARRY G. LUTZE; CHRISTOPHER)
J. BERAK,)
)
Defendants-Appellees.)

ORDER

Before: COLE, GRIFFIN, and NALBANDIAN, Circuit Judges.

Plaintiff Sonja M. Overall, proceeding individually and as personal representative of the Estate of Oakland County Sheriff’s Deputy Eric Brian Overall, appeals the district court’s denial of her Federal Rule of Civil Procedure 60(b)(1) motion to reissue judgment in this civil rights suit arising from the death of Deputy Overall. Defendants Lapeer County, Michigan, and four members of the Lapeer County Sheriff’s Office—Deputy Kenneth A. Paul, Deputy Christopher J. Boshell, Deputy Christopher Bowman, and Deputy Harry G. Lutze—move to dismiss the appeal as untimely.

Defendants make much of Overall’s ultimate goal of resurrecting the district court’s judgment so that she can remedy her previous failure to file a timely appeal. But our jurisdictional

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inquiry here is narrow: first, we ask if the district court's April 10, 2024, order denying Overall's Rule 60(b) motion was an appealable order; and then we ask if Overall's May 9, 2024, notice of appeal was filed within thirty days of the order. The answer to both questions is yes. *See, e.g., Turner v. Apfel*, 11 F. App'x 439, 440 (6th Cir. 2001) (per curiam) (recognizing that this court has jurisdiction to review the denial of Rule 60(b) motions) (citing *Hopper v. Euclid Manor Nursing Home, Inc.*, 867 F.2d 291, 294 (6th Cir. 1989)); *see* Fed. R. App. P. 4(a)(1)(A). Nothing more is required to trigger our jurisdiction. *See* 28 U.S.C. § 1291.

We note, however, that our jurisdiction is similarly narrow; we may review only the district court's April 10, 2024, refusal to reenter judgment based on mistake or excusable neglect. Any broader dispute, including the district court's denial of Overall's earlier Rule 60(b) motion would, as Defendants note, be untimely.

Accordingly, the motion to dismiss is **DENIED**.

ENTERED BY ORDER OF THE COURT


Kelly L. Stephens, Clerk

United States Court of Appeals for the Sixth Circuit

U.S. Mail Notice of Docket Activity

The following transaction was filed on 04/03/2025.

Case Name: Sonja Overall v. Oakland County, MI, et al

Case Number: 24-1426

Docket Text:

ORDER filed denying appellees' motion to dismiss - jurisdiction [7187113-2] filed by Ms. Marcelyn A. Stepanski. R. Guy Cole, Jr., Circuit Judge; Richard Allen Griffin, Circuit Judge and John B. Nalbandian, Circuit Judge.

The following documents(s) are associated with this transaction:

Document Description: Order

Notice will be sent to:

Mr. Christopher J. Berak
Richard A. Handlon Correctional Facility
1728 Bluewater Highway
Ionia, MI 48846

A copy of this notice will be issued to:

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Mr. Trevor Steven Potter
Ms. Layla Rose Sizemore
Mr. Carlito Harry Young